

CITY OF NEWPORT

DOCKET OF THE COUNCIL

The following items of business, filed with the City Clerk under the Rules of the Council, will come before the Council at its regular meeting to be held on **May 25, 2011, at 6:30 p.m.**

PLEDGE OF ALLEGIANCE TO THE FLAG

CITIZEN'S FORUM: (Speakers must sign in with the City Clerk). The Citizen's Forum period shall be no longer than fifteen minutes and citizens may address the Council on **one subject only and for no longer than three minutes**. Issues to be discussed shall not include matters to be considered or discussed as part of the regular council agenda and must be related to substantive city business. No comments regarding personnel or job performance are allowed.

1. **PUBLIC HEARING:** Recommended 2011-2012 Operating Budget
 - a. Memorandum from the Director of Finance, re: Revisions to FY2012 Recommended Budget
 - b. Ordinance Appropriating Revenues (First Reading)
 - c. Ordinance Amending Title 3, Personnel (First Reading)
 - d. Ordinance Amending Chapter 13.12.010 Basic (Sewer) Charge (First Reading)
 - e. Ordinance Amending Chapter 13.12.015, CSO Fixed Charge (First Reading)
2. **PUBLIC HEARING:** FY2012 Community Development Block Grant (CDBG) Application
 - a. Communication #4842/11 from the City Manager, re: Recommended FY2012 CDBG Application
 - b. Resolution Authorizing Submittal of the CDBG Application

It is the practice of the Council to meet at 6:20 p.m. in the second-floor Conference Room to discuss docket items. The public is invited to attend. The docket, along with all supporting documents, can be viewed on the City of Newport website: www.cityofnewport.com – “Current Newport City News & Announcements” – Click on “MORE NEWS.” Council Meetings can be viewed on Cox Cable, Channel 18; check local listings for dates and times. A DVD of the Council Meeting will be available at the Newport Public Library within 48 hours of the meeting.

LIVE VIDEO CONFERENCING OF COUNCIL MEETINGS AND WORKSHOPS WILL BE AVAILABLE AT THE NEWPORT POLICE STATION, WHICH IS ACCESSIBLE AND MEETS ADA REQUIREMENTS, **BASED UPON NOTIFICATION TO THE CITY MANAGER'S OFFICE (845-5429) A MINIMUM OF 48 HOURS IN ADVANCE OF THE MEETING.** INDIVIDUALS REQUIRING INTERPRETER OR OTHER ACCOMMODATIONS MUST NOTIFY THE CITY MANAGER'S OFFICE TWO WEEKS IN ADVANCE OF THE MEETING.

3. **CONSENT CALENDAR.** (THE CONSENT CALENDAR IS APPROVED IN ITS ENTIRETY UNLESS THE COUNCIL REMOVES AN ITEM FOR DISCUSSION. ALL LICENSES ARE GRANTED SUBJECT TO COMPLIANCE WITH ORDINANCES #31-80 AND #98-40.)
- a. Minutes of the May 11, 2011, Council Meeting (Approve)
 - b. Special Event Licenses:
 - 1) Island Auto Repair of Newport, RI (Clayton Frable), d/b/a A Night of Music & Remembrance (fundraiser); Elks Lodge, 141 Pelham St., May 27, 2011, from 6:00 p.m. to 11:00 p.m.
 - 2) Emmanuel Church, d/b/a Celtic Fire Choral Concert; Emmanuel Church, Dearborn St., June 5, 2011, from 5:00 p.m. to 7:00 p.m.
 - 3) Parents of Class of 2011 Portsmouth High School, d/b/a PHS Post Prom Party; Elks Lodge, 141 Pelham St., June 7/8, 2011, from 10:00 p.m. to 4:00 a.m.
 - 4) Friends of Plum Beach Lighthouse, Inc., d/b/a Plum Beach Lighthouse Benefit Concert; Newport Yachting Center, June 11, 2011, from 6:30 p.m. to 11:00 p.m.
 - 5) Conanicut Island Sailing Foundation, d/b/a CISF Showing of Morning Light; Jane Pickens Theater, 49 Touro St., June 21, 2011, from 6:00 p.m. to 10:00 p.m.
 - 6) Fort Adams Trust, d/b/a Air National Guard Band of the Northeast/Concert; Fort Adams State Park, July 1, 2011, from 5:30 p.m. to 7:00 p.m.
 - 7) New England Open Markets, LLC, d/b/a Indie Art by the Sea-- Art Festival; Fort Adams State Park, July 2 (rain date July 3), 2011, from 11:00 a.m. to 5:00 p.m.
 - 8) Island Moving Company, d/b/a Great Friends Dance Festival; Great Friends Meeting House, July 22, 2011, (Gala) from 6:30 p.m. to midnight; July 21, 23, 24, 26, 27, 28, 29, 30, and 31, 2011, from 7:30 p.m. to 9:30 p.m.

DOCKET OF THE COUNCIL

May 25, 2011

Page 3

- c. Annual Bingo License, Martin Luther King Center, 20 Dr. Marcus F. Wheatland Blvd. (Wednesdays, from 7:00 p.m. to 10:00 p.m.)
- d. Daily Entertainment License, Gladding School of Dance, LLC; Rogers High School Auditorium, Wickham Rd., May 27, 2011, from 6:00 p.m. to 10:00 p.m.; May 28, 2011, from 1:00 p.m. to 4:00 p.m.
- e. Farmer's Market License, Aquidneck Growers Market, Memorial Blvd., between Chapel St. and Edgar Ct.; Wednesdays, June 8 – Oct. 29, 2011.
- f. Annual Entertainment License Renewals—listed at end of docket.
(Approve subject to all existing conditions and restrictions)
- g. Holiday Selling License, New:
 - 1) Noah Jewell, d/b/a Tap Shop Studio, 468 Thames St.
 - 2) T's, Inc., d/b/a Anthony Tomaselli Gallery, 140 Spring St.
- h. Pedicab Operator's License:
 - 1) Matthew Cameron, 111 Vernon Ave., Middletown, RI
 - 2) Jeffrey Champlin, 223 Black Point Lane, Portsmouth, RI
 - 3) Conor P. Coffey, 6 Wetomachick Ave., Westerly, RI
 - 4) Andrew Croan, 9 Stockholm St., Newport, RI
 - 5) Alex DeCiccio, 6070 Cranston St., Cranston, RI
 - 6) Derek Luice, 10 White St., Newport. RI
 - 7) Zachary Matook, 693 Thames St., Newport, RI
 - 8) Matthew Maynard, 676 Thames St., Newport, RI
 - 9) Aaron Roy, 612 Thames St., Newport, RI
 - 10) Jacob Daniel Samberg, 9 Center Ave., Middletown, RI
- i. Victualing License, Renewal, Lindsey Kusic, d/b/a Gooseberry Concession and Grill, Ocean Avenue.
- j. Communication from Carla O'Rourke, Chairwoman, requesting permission to close Bush Street on July 4, 2011, from 3:00 p.m. to 7:00 p.m. for the 5th Annual Bush/Mann Neighborhood Block Party (Approve subject to details being worked out with city administration)
- k. Communication from The Rev. Dr. Anita Schell-Lambert, Rector, Emmanuel Church, asking permission to install two directional signs (Approve subject to details being worked out with the city administration)

1. Claim of Kenneth Bulcao (Receive and refer to City Solicitor)

LICENSES AND PERMITS

4. Application for a Victualing License, New, Kevin Case, d/b/a Newport Spice Company, 24 Franklin St.
5. Application for a Pedicab Business License, Rhody Rickshaw, LLC, d/b/a Rhody Rickshaw, 115-B Winchester Drive, Wakefield, RI (2 pedicabs) – Tabled April 27, 2011, pending ordinance amendment.
6. Application for a Pedicab Business License, d/b/a Pirate Pedicab, LLC, 32 Kenyon St., Providence, RI (2-4 pedicabs)
7. Application of Mermaids Newport, LLC, d/b/a Poor Richard's-Benjamin's, 254 Thames St. to expand its Victualing License by approximately 243 sq. ft. to an outdoor third-floor deck (in conjunction with expansion of its Class BV liquor license) – Continued from April 27, 2011, pending Zoning Board action.
8. Application of Diego's Newport, LLC, d/b/a Diego's, 11 Bowen's Wharf, to expand the licensed premises of its outdoor patio by approximately 600 sq. feet, to include additional seating and an outdoor bar (in conjunction with expansion of its Class BV liquor license)

COMMUNICATIONS & PETITIONS

9. Communication from John H. Ambrogio, Ed.D., Superintendent of Schools, re: Newport Area Career and Technical Center.

10. APPOINTMENTS TO BOARDS AND COMMISSIONS

Harbor Center Working Group: Martha Parker

RESOLUTIONS

11. Recognizing those involved in the Historic Bellevue Signage Project – N. Neville, S. Waluk

12. In support of a Doris Duke Memorial Monument in Queen Anne Square – S. Waluk, C. Duncan, K. Leonard, J. McLaughlin, N. Neville, H. Winthrop
13. Recognizing the University of Johnson & Wales students who established inventories for streetlight and sidewalk conditions – S. Waluk

ORDINANCES

14. Amending Chapter 5.97.130 of the Codified Ordinances, Paragraph E, to increase the maximum number of pedicab decals allowed from 12 to 16 (Second reading)
15. Amending Chapter 5.97.130 and 5.97.160 of the Codified Ordinances to change the license year for pedicab decals to January 1 through December 31 (Second reading)
16. Amending Chapter 10.32.110, Paragraph B, to implement 24-hour residential parking on Martin Street (Second reading)
17. Amending Chapter 10.31.040, to require that at least 65% of the residents are represented on a petition for 24-hour residential parking (First reading)

COMMUNICATIONS FROM THE CITY MANAGER

18. Communication #4843/11, re: Bid Award for July 4th Fireworks Display (with accompanying resolution)
19. Communication #4844/11, re: R.I. Resource Corporation Agreement (with accompanying resolution)
20. Communication #4845/11, re: Bid Award for Old Stone Mill Masonry Repairs (with accompanying resolution)
21. Communication #4846/11, re: Bid Award for Roadway Chip Sealing (with accompanying resolution)
22. Communication #4847/11, re: Award of Contract for Perrotti Park Transient Dock Construction (with accompanying resolution)

23. Communication #4848/11, re: Award of Contract for Newport Armory Structural Assessment Services (with accompanying resolution)
24. Communication #4849/11, re: Modifications to Contract #05-006 – Engineering Services, Control Plan for CSOs (with accompanying resolution)
25. Communication #4850/11, re: Modification to Contract #10-039 – Professional Services for Program Manager for Implementation of CSO Long-term Control Plan (with accompanying resolution)

ADJOURN AS COUNCIL AND CONVENE AS BOARD OF LICENSE COMMISSIONERS

BOARD OF LICENSE COMMISSIONERS

(CONSENT CALENDAR. (THE CONSENT CALENDAR IS APPROVED IN ITS ENTIRETY UNLESS THE COUNCIL REMOVES AN ITEM FOR DISCUSSION. ALL LICENSES ARE GRANTED SUBJECT TO COMPLIANCE WITH ORDINANCES #31-80 AND #98-40.)

1. Application for a Sunday Selling License, JACE Enterprises, Inc., d/b/a Andrews Liquor, 295-297 Connell Highway (new location)
2. Application of Mermaids Newport, LLC, d/b/a Poor Richard's—Benjamin's, 254 Thames St., first and second floors, to expand the licensed premises of its Class BV alcoholic beverage license by approximately 243 square feet to an outdoor third-floor deck. (Hearing; continued from April 27, 2011, pending Zoning Board action)
3. Application of Diego's Newport, LLC, d/b/a Diego's, 11 Bowen's Wharf, holder of a Class BV alcoholic beverage license, to expand the licensed premises of its outdoor patio by approximately 600 sq. feet, to include additional seating and an outdoor bar (Hearing)

Kathleen M. Silvia
City Clerk

May 18, 2011

DOCKET OF THE COUNCIL

May 25, 2011

Page 7

Entertainment Licenses by Class (restrictions noted) May 25, 2011

Class A & B

DBA	Owner	Licensed Premises	Restrictions
@ The Deck	@ The Deck, LLC c/o Thomas Abruzese	Located at 1 Waites Wharf Pole 6 south side first floor, tent, patio area	Outside entertainment limited to 11 p.m. on Sunday through Thursday, and to Midnight on Fridays and Saturdays, and Sundays of holiday weekends.

Riptides	Dockside North, LLC	Located at 25 Waites Wharf Unit #B	OUTSIDE ENTERTAINMENT LIMITED TO 11 P.M. ON SUNDAY THROUGH THURSDAY, AND TO MIDNIGHT ON FRIDAYS AND SATURDAYS, AND SUNDAYS OF HOLIDAY WEEKENDS. SOUND LEVEL NOT TO EXCEED 65 DECIBELS.
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Class A Indoors

DBA	Owner	Licensed Premises	Restrictions
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Best Western Mainstay Inn	Mainstay Inn, LTD, The	Located at 151 Admiral Kalbfus Road	NO OUTSIDE ENTERTAINMENT OR AMPLIFICATION.
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Billy Goode's	Billy Goode Company, Inc.	at 29 Marlborough St	NO OUTSIDE ENTERTAINMENT OR AMPLIFICATION.
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Boat Dockside, The	Waite's Wharf Grille, LLC	Located at 25 Waites Wharf Unit A First Floor	NO OUTSIDE ENTERTAINMENT OR AMPLIFICATION. ALL DOORS AND WINDOWS TO REMAIN CLOSED DURING ENTERTAINMENT.
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Cafe Zelda	Rudder, Inc.	Located at 528-530 Thames Street First Floor	NO OUTSIDE ENTERTAINMENT OR AMPLIFICATION.
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Café, The	Club 200, Inc.	Located at 200 Broadway	
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Newport Blues Cafe	Tri Group, LLC	Located at 286 Thames Street First and Second Floors	BANDS LIMITED TO FOUR (4) MEMBERS. DOORS AND WINDOWS TO REMAIN CLOSED, PER RESTRICTIONS ON FILE IN CITY CLERK'S OFFICE. NO OUTSIDE ENTERTAINMENT OR AMPLIFICATION.
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DOCKET OF THE COUNCIL

May 25, 2011

Page 8

Newport Grand Jai Alai	Alai, LLC	Road	Newport Grand Jai Located at 150 Admiral Kalbfus	NO OUTSIDE ENTERTAINMENT OR AMPLIFICATION.
Newport Playhouse & Cabaret Restaurant	Newport Playhouse & Cabaret Restaurant	Located at 102 Connell Highway		NO OUTSIDE ENTERTAINMENT OR AMPLIFICATION.
One Eighty	NWPT, INC.	Located at 8-10 Broadway First Floor and 1 River Lane Basement and 2nd floor function room.		NO OUTSIDE ENTERTAINMENT OR AMPLIFICATION.
Poor Richard's- Benjamins	Mermaids Newport LLC	Located at 254 Thames St.		INDOOR ENTERTAINMENT ONLY, FIRST FLOOR ONLY, OUTDOOR SPEAKERS TO BE REMOVED
Rhumblin Restaurant	62 Bridge Street, LLC	Located at 62-64 Bridge Street, First Floor		
Spanglish	POB, LLC	Located at 162 Broadway and 2 Caleb Earl Street First Floor		NO OUTSIDE ENTERTAINMENT OR AMPLIFICATION. DOORS AND WINDOWS ARE TO REMAIN CLOSED DURING ENTERTAINMENT.